

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY	)	MDL No. 1456
AVERAGE WHOLESALE PRICE	)	
LITIGATION	)	CIVIL ACTION: 01-CV-12257-PBS
	)	
THIS DOCUMENT RELATES TO ALL	)	Judge Patti B. Saris
CLASS ACTIONS	)	
	)	

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**PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF IMS DATA AND REPORTS**

Plaintiffs respectfully move the Court for an order requiring all Phase 1 defendants to produce as promptly as possible all materials requested by way of plaintiffs' Amended and/or Supplemental Request for Production of Documents to Phase 1 Defendants Relating to IMS Data, which requests for production were served on all Phase 1 defendants on August 30, 2005 and August 31, 2005 (with minor modifications). This motion is supported by a memorandum of law filed of even date.

DATED: October 21, 2005

By /s/ Steve W. Berman

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF IMS DATA AND REPORTS** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on October 21, 2005, a copy to LexisNexis File & Serve for Posting and notification to all parties

By /s/ Steve W. Berman

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